

JESSE LASLOVICH
BRETT O'NEIL
Office of the Commissioner of Securities and Insurance
Montana State Auditor
840 Helena Avenue
Helena, MT 59601
406-444-2040
JLaslovich2@mt.gov

Attorney for the CSI

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE,
MONTANA STATE AUDITOR**

IN THE MATTER OF:)	CASE NO. INS-2013-130
)	
STATE FARM MUTUAL AUTOMOBILE)	CONSENT AGREEMENT AND
INSURANCE COMPANY,)	FINAL ORDER
)	
Respondent.)	
)	
)	
)	

This Consent Agreement and Final Order (Agreement) is entered into by the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), acting pursuant to the authority of the Montana Insurance Code, Mont. Code Ann. § 33-1-101 et seq. (Insurance Code), and the above-captioned State Farm Mutual Automobile Insurance Company (Respondent).

RECITALS

WHEREAS, on May 17, 2013, the CSI requested information from Respondent via certified mail. The request included a response deadline of May 31, 2013;

WHEREAS, Respondent received the CSI's information request on May 21, 2013;

WHEREAS, Respondent failed to respond to that request, failed to produce the requested information by the stated deadline of May 31, 2013, and failed to request an extension of the May 31, 2013, deadline;

WHEREAS, on June 13, 2013, CSI's Chief Legal Counsel notified State Farm Corporate Counsel, Victoria K. Kidman, via e-mail that a letter had been sent to State Farm's Corporate Headquarters and that State Farm had failed to respond to the request.

WHEREAS, on June 28, 2013 Respondent provided the requested information to the CSI;

WHEREAS, the CSI alleged that Respondent violated Mont. Code Ann. § 33-1-315(5) by failing to answer and procure records, documents, or other evidence requested by the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner), or the Commissioner's designee; and

WHEREAS, the CSI and Respondent agree that the best interests of the public would be served by entering into this Agreement;

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, the CSI and Respondent hereby agree to settle this matter pursuant to the following terms and conditions:

STIPULATIONS AND CONSENTS

I. Without admitting or denying any of the CSI's allegations, the Respondent stipulates and consents to the following:

A. Within ten days from the execution of this Agreement, Respondent shall pay a \$2,500 fine to the state of Montana. The fine should be made payable to the "State of Montana" and sent to the CSI, c/o Jesse Laslovich, Attorney, 840 Helena Avenue, Helena, MT 59601.

B. Respondent shall timely answer, produce records, documents or other evidence to any material inquiry of the Commissioner or the Commissioner's designee relative to the subject of an examination, investigation, or hearing pursuant to Mont. Code Ann. §33-1-315 and shall implement procedures to comply with said statute.

C. Respondent shall comply with the terms and conditions of this Agreement, the Insurance Code, and all other regulations of the state of Montana.

D. Respondent fully and forever releases and discharges the CSI from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this Agreement.

E. Respondent specifically and affirmatively waives a contested case hearing and all rights to appeal under the Montana Administrative Procedure Act, Mont. Code Ann. § 2-4-101 et seq., and elects to resolve this matter on the terms and conditions set forth herein.

II. All parties to this Agreement stipulate and consent as follows:

A. The Commissioner and the CSI have jurisdiction over the subject matter of the above-entitled proceeding.

B. This Agreement is entered without adjudication of any issue, law, or fact. It is entered into solely for the purpose of resolving the CSI's allegations and is not intended to be used for any other purpose. For any person or entity not a party to this Agreement, this Agreement does not limit or create any private rights or remedies against the Respondent including limit or create liability of Respondent, or limit or create defenses of Respondent, to any claims.

C. This Agreement constitutes the entire agreement between the parties and no other promises or agreements, either express or implied, have been made by the CSI or by any member, officer, agent or representative of the CSI to induce Respondent to enter into this Agreement.

D. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing to be effective.

E. This Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

F. This Agreement shall be effective upon signing of the Final Order.

G. The Agreement is a public record under Montana law and as such may not be sealed or otherwise withheld from the public.

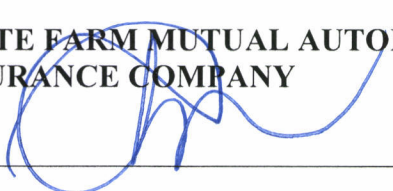
DATED this 6th day of September 2013

**COMMISSIONER OF SECURITIES AND
INSURANCE, MONTANA STATE AUDITOR**

By: 
BRETT O'NEIL
Attorney

DATED this 3RD day of SEPTEMBER 2013

**STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY**

By: 
Its: COUNSEL

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603 and § 33-1-101 et seq.,
and upon review of the foregoing Consent Agreement and good cause appearing,

IT IS HEREBY ORDERED that the foregoing Consent Agreement between the CSI and
Respondent State Farm Mutual Automobile Insurance Company is adopted as if set forth fully
herein.

DATED this 6th day of September, 2013.

MONICA J. LINDEEN
Commissioner of Securities and Insurance
Montana State Auditor

By: 
ADAM SCHAFER
Deputy Commissioner

cc: State Farm Mutual Automobile Insurance Company